

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

EMMA STARK,

Plaintiff,

v.

Case No. 24-12263

Hon. Jonathan J.C. Grey

Magistrate Judge Patricia T. Morris

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF
No. 16) AND DISMISSING PLAINTIFF'S CAUSE OF ACTION**

Plaintiff Emma Stark brings this action under 42 U.S.C. § 405(g), challenging the final decision of the Commissioner of Social Security Administration denying her application for Disability Insurance Benefits and Supplemental Security Income under the Social Security Act. (ECF No. 1.) This matter comes before the Court on Magistrate Judge Patricia Morris' Report and Recommendation dated April 22, 2025. (ECF No. 16.)

In the Report and Recommendation, the Magistrate Judge recommends that the Court dismiss Stark's cause of action for failure to prosecute due to: (1) Stark's failure to file a timely motion for summary

judgment pursuant to the Magistrate Judge's order (*see* ECF No. 14); and (2) Stark's subsequent failure to respond to the Court's order to show cause why her case should not be dismissed for failure to prosecute. (ECF No. 15.) No party has filed an objection to the Report and Recommendation.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons. Finding no error in the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation in its entirety. Furthermore, as neither party has raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (a party's failure to file any objections waives his or her right to further appeal); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

For the reasons stated above, **IT IS ORDERED** that the Report and Recommendation dated April 22, 2025 (ECF No. 16) is **ADOPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that this cause of action is
DISMISSED WITH PREJUDICE.

SO ORDERED.

Dated: May 15, 2025

s/Jonathan J.C. Grey
JONATHAN J.C. GREY
UNITED STATES DISTRICT JUDGE

Certificate of Service

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 15, 2025.

s/ S. Osorio
Sandra Osorio
Case Manager